

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JULIA C. BUDLEY, CLERK
BY: 
DEPUTY CLERK

)
)
)
)
)
)
)
)
)
)
)

Case No. 7:10CV00075

ORDER

By: Glen E. Conrad
Chief United States District Judge

)

as follows:

1. Plaintiff's complaint is **DEEMED** amended as stated in his amended complaint (DE 11) and the clerk shall add the following USP Lee staff members as defendants named in the amendment: Crum, Shoemaker, Calton (brother to B. Calton), Campbell, Delores Willis, and Mr. Chambers;
2. The following claims, as construed by the court in the memorandum opinion, are **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim: Claims 1, 2 (all subparts), 3, 4(a), 4(b), 4(d), 4(e), and 4(f), 5, 6 (to the extent that it alleges deliberate indifference to medical needs and to unconstitutional cell conditions), 7, and 8;¹ and

¹ As all claims against the following defendants are hereby dismissed, the clerk shall terminate them as parties to this lawsuit: Crum, Shoemaker, Calton (brother to B. Calton), Campbell, Delores Willis, Mr. Chambers, Captain LKU, and Terry O'Brien.

3. The following claims, as construed by the court in the memorandum opinion, shall go forward: Claim 4(c) alleging that Defendant Laloude stole legal documents and Claim 6 alleging that Defendant B. Calton used excessive force. By separate order, the court will direct the clerk to attempt service of process of these remaining claims.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 28th day of September, 2010.



Chief United States District Judge